

House State & Local Government Committee Amendment No. 1

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1771

House Bill No. 1782

by inserting the following language at the end of the amendatory language of Section 1:

3. The commission, acting through its executive director, is empowered to issue, at any time after the filing of a complaint, subpoenas or subpoenas duces tecum to require attendance of persons and submission of documents, at specified times and places, to give testimony in the case or matter therein stated. The subpoena shall mention the names of the parties to the hearing and the party at whose instance the witness is called, and if necessary, require the witness also to bring any books, documents, or other writing under the person's control which may be pertinent to the hearing.

4. Service of such subpoena shall be had by a designated representative of the commission handing a copy of the subpoena to such witness, or if the witness cannot be found, then leaving a copy of the subpoena at the usual place of residence of the witness. Such process shall run throughout the state.

5. Failure of any witness so subpoenaed to attend shall be certified by the executive director of the commission to the chancery court in whose judicial district such witness resides, and such chancery court shall exercise authority granted it by law in the treating of contempt of court matters, including those powers granted in §29-9-103 - 29-9-105; all to the end that the witness shall be compelled to appear at a time and place specified by the chancery court.

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6. Any witness who appears as ordered, but upon appearance refuses to testify on matters not privileged by law, shall be punished as prescribed by Section 5.

7. Any witness so subpoenaed shall be reimbursed necessary traveling expenses from such witness' home to the place of hearing and other necessary expenses as determined by the executive director of the commission, consistent with the comprehensive travel regulations promulgated by the department of finance and administration and approved by the attorney general and reporter.

8. The executive director of the commission may, whenever deeming such aid necessary, request the aid of any and all agencies of the state of Tennessee. Unless good and sufficient reason can be shown why the particular state agency should not render such aid, any request by the executive director of the commission shall be honored and the agency so requested shall give full aid, support and cooperation to the commission in such investigation.